UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/788,486	02/21/2001	Shinichi Sazawa	1086.1140	6215

21171	7590	01/23/2006

STAAS & HALSEY LLP
SUITE 700
1201 NEW YORK AVENUE, N.W.
WASHINGTON, DC 20005

EXAMINER
DURAN, ARTHUR D

ART UNIT	PAPER NUMBER
3622	

DATE MAILED: 01/23/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

	Application No.	Applicant(s)
Office Action Summary	09/788,486	SAZAWA ET AL.
	Examiner	Art Unit	
	Arthur Duran	3622	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>04 January 2006</u>.

2a)☒ This action is **FINAL**.　　　2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1-26</u> is/are pending in the application.

　　4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>1-23 and 26</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☒ Claim(s) <u>24 and 25</u> are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

　　Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

　　Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

　　a)☐ All　b)☐ Some * c)☐ None of:

　　　1.☐ Certified copies of the priority documents have been received.

　　　2.☐ Certified copies of the priority documents have been received in Application No. _____.

　　　3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

　　* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
　　Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
　　Paper No(s)/Mail Date. _____ .

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: _____.

DETAILED ACTION

1.   Claims 1-26 have been examined.

Response to Amendment

2.   The Amendment filed on 1/4/06 is sufficient to overcome the prior rejection. A new

reference has been added to the 35 USC 103 rejection.

Election/Restrictions

3.   Newly submitted claim 24, 25 are directed to an invention that is independent or distinct

from the invention originally claimed for the following reasons. Claims 24 and 25 are directed

towards presentation formats concerning boxes and displays and selection procedures involving

online commerce. Claims 24 and 25 are a different and distinct invention than claim 1.

Since applicant has received an action on the merits for the originally presented

invention, this invention has been constructively elected by original presentation for prosecution

on the merits. Accordingly, claims 24 and 25 are withdrawn from consideration as being

directed to a non-elected invention. See 37 CFR 1.142(b) and MPEP § 821.03.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in
> section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are
> such that the subject matter as a whole would have been obvious at the time the invention was made to a person
> having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the
> manner in which the invention was made.

4.   Claims 1-23 and 26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Aho

(6,256,043) in view of Gerace (5,848,396) in view of Shtivelman (6,346,952) in view of ·

Thompson (2004/0068485).

Claim 1, 3-11, 13-23, and 26: Aho discloses a method, medium for managing an

imaginary store on a network, comprising:

a first step of displaying the imaginary store in response to client's request,

a second step of setting a chat channel between a salesperson and the client in response to

selection of a product object by the client in said imaginary store, and displaying character data

in a chat that they have (col 2, lines 17-30; col 2, lines 41-55; col 8, line 62-col 9, line 5),

and adapting the environment and images to best fit a particular user (col 2, lines 17-27).

Aho does not explicitly disclose selecting an attribute object of a corresponding product

on the basis of a key word in said chat.

However, Gerace further discloses monitoring user communication, activity, and

messages and presenting different attribute objects based upon user communications (col 16,

lines 37-55; col 2, lines 43-55; col 10, lines 40-52). Note that the color of advertisements or the

topic of advertisements constitutes different attributes for the object.

Gerace further discloses the user making purchases of items (col 2, lines 37-43; col 22,

lines 53-65) and adapting content, presentation, display, format, subject matter attributes of items

(col 17, lines 1-17).

Therefore, it would have been obvious to one having ordinary skill in the art at the time

the invention was made to add Gerace's selecting an attribute object of a corresponding product

on the basis of a key word in said chat to Aho's customizing the attributes of the presentation

based on user qualities. One would have been motivated to do this in order to provide items of

interest to a user in a format of interest to a user.

Gerace further discloses displaying plural attributes that can be selected from said

product attribute object and reflecting an attribute selected from said plural attributes on product

object presentation (col 16, lines 37-67). Note that displaying ticket information on plane flights

to Detroit, or to New York, or to Boston based upon the user communication is varying the

product (tickets) attribute (destination).

Gerace further discloses recording a log of the chat between said client and the

salesperson and then analyzing the recorded chat log to perform marketing (col 2, lines 5-30; col

lines 35-42).

Gerace further discloses extracting a key word from the recorded chat log and

dispatching an advertisement corresponding to the extracted key word to a client (col 16, lines

37-67; col 17, lines 37-52).

Gerace further discloses the key word is searched from the content of the client's chat and

an advertisement list wherein product data corresponding to the key word and client data are

combined is prepared (col 16, lines 37-67).

Gerace further discloses supplying a chat channel between clients, recording a log of

chats, and then analyzing the recorded chat log to perform marketing (col 10, lines 23-50).

Aho further discloses users chatting (col 2, lines 30-35) and utilizing a chat channel to

have a chat with another client (col 12, lines 49-58).

Gerace further discloses collecting further data from a user (col 11, lines 24-56) and collecting data from a user upon selling a product (col 2, lines 37-42).

Gerace further discloses specials provided to the user and targeting areas of interest to the user (col 9, lines 7-14).

a reward or a privilege is supplied to the client supplying the cut-out data (col 9, lines 7-14).

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to add Gerace's providing specials or rewards to Aho's user performing virtual shopping customized to the user. One would have been motivated to do this in order to better attain user information for better customizing towards a user.

Gerace further discloses displaying plural colors, plural shapes and plural display positions as the plural attributes that can be selected from said product attribute object and reflecting a specific attribute selected from said plural attributes on an image of said product object (col 6, lines 30-40; col 2, lines 16-22).

Additionally, Aho discloses shopping and that the store the user enters can be customized based on the user who enters:

"(9)   As another example, the user could enter a store which popped out of the video, and engage in virtual shopping therein. In accordance with an aspect of the invention, the particular store which is actually entered may be customized on a per user basis. Thus, for different users who are traversing the same course and seeing the same representations, e.g., an avatar, of a store or vendor cart that popped out from the video, who the particular vendor is that will serve

the user and provide him with the virtual shopping service may be different for different users"

(col 2, lines 16-25).

Aho discloses the user utilizing a chat service for shopping purposes, targeting content to

the user, and targeting a communication to a user:

"(10)   In accordance with another aspect of the invention, when the proprietor of a

virtual store, or his representative, e.g., electronic agent, detects the avatar of one or more

persons in the vicinity of, e.g., passing, the avatar of a store for which such proprietor's store

corresponds to the virtual store for such passing persons, a message, such as an advertisement,

or other communication, such as opening a communication channel, e.g., a chat service or

voice communication channel, may be transmitted to, or initiated with, such passing persons.

The communication may be general in nature or it may be customized as a function of

information available regarding the passing persons. Advantageously, a feeling of community

may be engendered in the virtual environment" (col 2, lines 41-55).

Shtivelman discloses selecting an attribute of a corresponding product on the basis of a

key word extracted real time from information of a chat currently underway (Fig. 8 and below):

"(47)   Threaded dialog may assume other characteristics aside from being reserved for a

particular customer. Instead of being assigned to a particular customer, a thread may be

assigned a product line or specific product. Therefore any communication center interaction

concerning that product line or product would be contained in the thread. There are no limits to

categorization or association rules. A variety of known technologies such as voice to text

recording, optical character recognition (OCR), object linking and embedding (OLE), or even

human-assisted translation may be used to convert interactions into threaded text accounts (col

12, lines 5-15);

(74)   At step 133 a parsing engine such as parser 115 of FIG. 5 parses a message for

content. As previously described, keywords such as nouns, verbs, product names, platform

types, etc are parsed from the message. Sentence structure and punctuation may also be

considered. Also in step 133, a KB such as KB 117 is consulted for matching semantics. KB

117 may store standardized query/response pairs that have been standardized from actual

query/response pairs studied from chat history. KB 117 may only contain matching queries and

associated response codes that are linked to responses contained in a history database, or

standardized responses held separately. There are many possibilities (col 16, lines 21-34);

(103)   Intelligent parsing of all incoming queries may be set up by rule such that

keywords about customers may be obtained from a customer database based on customer

identification in a chat session. Moreover, keywords related to additional products that are

discussed may be checked against a product database containing product descriptions.

Additional product keywords appearing in column 177 would result from keywords extracted

from query dialog and matched against a product database.

(104)   Like keywords contained in column 175, those additional keywords appearing in

column 177 may expire after a preset number of query/response pairs have been posted with the

exception of the title keyword X 10 scanner. Alternatively, such keywords may remain in view

throughout the duration of a session. For example, the keyword X5 scanner appears as a result

of Mary's query asking if there is a miniature model that she can buy. Another product keyword

keyboard appears as a result of parsing Jim's query containing the word keyboard. The second

product keyword is not related to the title X10 scanner, however it appears because the

company hosting the session may also have a line of compatible keyboard products. In this

case, retaining product keywords developed over a duration of a chat session may help

administrators to better title a particular chat session for future applications.

(105) In a preferred embodiment of the present invention, generation of a

keyword summary along with client keywords and product keywords particular to a

chat session is accomplished in integration with methods taught in the co-related patent

applications. However, in an alternate embodiment, the generation of such keywords may be

accomplished for a particular chat session by providing a parsing function either in a server

hosting the session, or in an agent's desktop chat application. For example, if there are more

than one chat session ongoing in a chat server, then parsing function at the server may

be constructed to automatically monitor dialog (query and response) for each separate session

and extract keywords from the monitored dialog according to rule such that the keywords

appear in window 163. The same would apply at the agent's desktop. The only difference

would be that keywords would only be saved during the time that they are allowed to reside in

columns 175-177" (col 20, line 65-col 21, line 41).

Shtivelman further discloses that the chat features can be utilized in any chat type

environment:

"(7) One IPNT medium is the well-known chat session. A chat session is facilitated by

software at each client station and at a communications server hosted somewhere in an Internet-

Protocol (IP) data network (typically the Internet). A chat session is typically hosted by a

facilitator or session leader, which controls the rules and regulations governing each session.

Typically a session master has controls provided to him that enable him to mute other

participants, eject certain individuals from a session, direct the topics, and so on (col 1, lines 55-

65);

(107) It will also be apparent to one with skill in the art that the method

and apparatus of the present invention may be practiced in virtually any standard chat

environment without benefit of central routing control or automated response systems without

departing from the spirit and scope of the present invention. All that is required to provide a

revolving summary of dialog keywords is a session monitor and a keyword parser, which may

be provided either at a server location or in a desktop chat application;

(108) The method and apparatus of the present invention may be practiced in

any IP communication-center environment or in any IP chat environment without departing

from the spirit and scope of the present invention. Therefore the present invention should be

afforded the broadest scope. The methods and apparatus of the present invention are limited

only by the claims that follow" (col 21, line 50-col 22, line 10).

Therefore, it would have been obvious to one having ordinary skill in the art at the time

the invention was made to add Shtivelman's providing relevant information or based on real time

chat analysis and keywords to Aho's providing custom shopping experiences or advertising

based on possible user preferences, interests, or characteristics. One would have been motivated

to do this in order to provide content that is relevant to the user's recent or current interests.

Additonally, Aho further discloses adapting the objects for sale at the virtual store based

on information concerning the user:

"[Claim] 10. The invention as defined in claim 1 wherein said object is a <u>store</u> selected from among a plurality of <u>stores</u> as a function of a location of said viewer and said additional information is relevant to objects for sale at said <u>store</u>.

[Claim] 11. The invention as defined in claim 1 wherein said object is a <u>store</u> selected from among a plurality of <u>stores</u> as a function of specified parameters of said viewer and said additional information is relevant to objects for sale at said <u>store</u>" (col 10, lines 35-43).

Also, Thompson (20040068485) discloses e-commerce, Internet communications, real time communications, chat, and information display on a <u>real-time,</u> on-going basis, as the user interacts with the system:

"[0125] While the illustrated embodiments have been described utilizing Internet communications, it should be readily apparent that other communication systems or (wired/wireless) networks (e.g., intranets, private bulletin boards, individual local or wide area networks, proprietary chat rooms, ICQ, IRC channels, instant messaging systems, etc.) using <u>real-time</u> or non-<u>real</u>-time systems in lieu of or in addition to the disclosed Internet resources may also be utilized.

[0126] A Pricing Engine module could be added to the configuration system to generate pricing and cost information for individual products, components, projects, etc. both on a <u>real-time,</u> on-going basis, as the user interacts with the system, and also to provide total (or sub-total) pricing data for the configured product or project. The Pricing Engine may include bid and quote generation functionality to facilitate the production and transmission of bid/quotes by users to their ultimate customers. A Product Code Engine (see

FIG. 7) may be added to generate (and receive as inputs) codes (e.g., UPC, EIC,

etc.) assigned by manufacturers, retailers, or other users, as well as by the

system itself for use in processing data associated with a particular product,

component, project, etc. The product codes may be used by other modules of the

system (e.g., the Pricing Engine) to associate data (e.g., prices) directly

with the product codes".

Thompson discloses utilizing preferences and inferences in order to determine product

displays and product display formats:

"[0078] A Preferences Module may also be included in the system. A Preferences

Module allows the user to define a set of preferred answers for questions

applicable to products in a project. In a preferred embodiment, the set of

preferred answers may be based on user selected preferences, regional

specification preferences, manufacturer compatibility preferences, etc. As an

example, the user can initiate a project and choose "white clad" windows. The

user can then set "white clad" as a preference for that entire project. As a

result, for every item that the user configures for the project, the system

will reference the Preferences Module and will <u>automatically</u> retrieve the

preference values by default and override other items. The Preferences Module

can also <u>automatically</u> inform a user that the selected preference is

unavailable for a given product during the configuration of that product.

[0041] Preferably, Frame Engine 104 is a frame-based <u>inference</u> engine used to

process product knowledge, which may be supplemented by an interpreted rules

system, based on input data from Core 102 (or other modules) and from users of

the system. In accordance with a preferred embodiment, user data is input

through user input of answers to a series of questions regarding configuration

of a desired product or project posed by the system (as will be discussed in

detail below). In accordance with a preferred embodiment, Frame Engine 104

computes available configuration answers for any configuration questions posed

to a user at any time (e.g., in any order), and processes the user's answer to

such question. When given the value of one or more answers, Frame Engine 104

infers the values of answers to other questions automatically, and thus,

eliminates the need for excessive rule constructs, as typically required in a

rules-based engine. Through inference, Frame Engine 104 may also remove or

insert questions (and their associated answers) based on the user's previous

response(s).

[0083] Referring to FIG. 5, Standard Answers 18 is a feature providing the

ability to display to the user the "standard" answer 12 for a particular

product attribute. Standard Answers 18 can also be automatically selected

similar to Preferences and are flexible enough to be changed by the user during

the configuration process (i.e., Standard Answers can be applied to some

products in a project but not to others). If the user activates Standard

Answers 18, the system will automatically answer 12 all questions 10, which

have answers defined as "standard" and apply them to the product being

configured at runtime.

[0113] The manner in which a product is entered consists of the user inputting into the system a request for a new "mark." A "mark" refers to a configured unit or product such as a window, door, or other assembly. The user can then select a product type, such as a window, at step 314. The user can then begin to configure a new mark and at that point is prompted to answer some questions about the product at step 315 such as the type, size, or style of window desired. The sales-representative/user can input the specific product information, for example, color options, glass type, etc. At step 318, the sales-representative can select a quantity of product for the project. As a result, the system will repeat (320) the same configuration for the number of windows entered in the Quantity data field".

Thompson further discloses displaying products and product attributes and emphasizing certain product attributes based on user interaction with the system (Figures 2 thru 7; Fig. 26; and below citations):

"[0084] Referring now to FIG. 6, Graphic Selection is a feature which provides a graphic representation 20 of attributes (if applicable), which can represent an answer more clearly 12 than a text description. This feature is particularly useful for the illustration of attributes that would otherwise require either extensive text description or which can be better shown with an image 22. The Graphic Selection array can accommodate a range of static or "animated" electronic representations, including portable network files, metafiles, bitmaps, or other graphic representations.

8. The system of claim 7, further comprising: a data analysis subsystem

performing analysis of configuration data to be output to said user interface;

and a graphics formatting output subsystem providing graphical representations

of configuration data output to said user interface".

Therefore, it would have been obvious to one having ordinary skill in the art at the time

the invention was made to add Thompson's real-time chat, product display based on interaction

with the user, product attribute emphasizing based on question and answer with the user, user

preference and product inference tracking to Shtivelmans analyzing a user chat for keywords

related to features/attributes of products/items of possible interest and Aho's presenting objects

in a virtual store based on anticipated user interest. One would have been motivated to do this

in order to present the items and features of items that are more relevant to particular users and

thereby better attain user interest.

Also, in regards to claim 6, Gerace further discloses displaying advertisements based on

the keywords involving user communications and user chat (col 10, lines 23-52; col 16, lines 45-

50).

Claim 2, 12: Aho and Gerace and Shtivelman and Thompson disclose the method

according to claim 1. Aho further discloses said second step, when the client selects the

salesperson in the imaginary store, the chat channel between the selected salesperson and the

client is set, and when the client selects the product, the chat channel between a salesperson in

charge and the client is set (col 2, lines 42-55; col 8, line 62-col 9, line 5).

Response to Arguments

5.   Applicant's arguments with respect to claims 1-23 and 26 have been considered but are

moot in view of the new ground(s) of rejection.   Please particularly note the addition of the

Thompson reference above.

Also, in regards to Applicant's arguments on page 9 concerning claim 6, Examiner notes

that Gerace further discloses displaying advertisements based on the keywords involving user

communications and user chat (col 10, lines 23-52; col 16, lines 45-50). Examiner further notes

that the rejection for dependent claim 6 also includes the citations and explanations for the

rejection of the claims upon which claim 6 is dependent.

Examiner further notes that it is the Applicant's claims as stated in the Applicant's claims

that are being rejected with the prior art. Also, although the claims are interpreted in light of the

specification, limitations from the specification are not read into the claims. See *In re Van*

Geuns, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993). And, Examiner notes that claims are

given their broadest reasonable construction. See *In re Hyatt*, 211 F.3d 1367, 54 USPQ2d 1664

(Fed. Cir. 2000).

Examiner notes that while specific references were made to the prior art, it is actually

also the prior art in its entirety and the combination of the prior art in its entirety that is being

referred to. Also, one cannot show nonobviousness by attacking references individually where

the rejections are based on combinations of references. See *In re Keller*, 642 F.2d 413, 208

USPQ 871 (CCPA 1981); *In re Merck & Co.,* 800 F.2d 1091, 231 USPQ 375 (Fed. Cir. 1986).

Conclusion

The following prior art made of record and not relied upon is considered pertinent to

applicant's disclosure:

a) Haeberli (20030065590) discloses chat and automatically changing a product attribute
display in order to display the product and product format in a manner of interest to the user:

"[0010] Automatically identifying the image attribute can include analyzing the
first image, and the new value for the product attribute can be automatically
selected based on the analysis of the first image. Analyzing the first image
can include generating a set of representative colors from the first image
(e.g., by generating a color map for the first image, for example, by
performing a median cut algorithm on the first image). Automatically selecting
the new value for the product attribute can include selecting a color as a
function of at least one of the representative colors. A color that matches at
least one of the representative colors (e.g., a color that complements at least
one of the representative colors) can be selected. Also, a color can be
selected from the set of representative colors, for example, by selecting the
most popular color from the set of representative colors or selecting a color
at random from the set of representative colors. In one implementation, the
product attribute can be a border color product attribute of the image-based
product and the new value can be the selected color. In such an
implementation, the method can further include generating a second preview
image of the image-based product having a border. The color of the border can
be the color specified by the border color product attribute.
[0029] Changing one or more attributes of an image-based product involves
selecting which product attributes to change and then assigning a value to the
selected attributes. Both of these operations can be performed manually by a
user or automatically by a system. For example, a system can be configured to
automatically select the one or more product attributes to change at random.
In addition, or instead, the system can be configured to select one or more of
the product attributes to change based on information relating to the user's
images, past transactions, and account information. For example, the system
can select one or more product attributes that the user's account information
indicates the user has not tried changing (perhaps, because the user was
unaware that the particular attribute could be changed). Also, the system can
be configured to assign new values to the selected product attributes at random
and/or based on information relating to the user's images, past transactions,
and account information. In this way, the system can be configured to suggest
new ways to incorporate a user's image in an image-based product.
[Claim] 1. A method comprising: automatically identifying an attribute of a first
image; automatically selecting a new value, for a product attribute of an

image-based product incorporating at least a portion of the first image, based
on the image attribute; and receiving an order for the image-based product";

      b) Pugliese (20010044751) discloses chat and automatically displaying products of
interest to users:
      "1. A method for selling having the steps of; signing in through an entry
portal, selecting items for viewing, and dynamically displaying selected items.

2. The method of claim 1 for selling having the further step of: remotely
directing viewing of an item to be purchased.

3. The method of claim 2 having the further step of connecting a shopper
portal to a sales assistant's portal to provide a flow of information between
said portals.

4. The method for selling of claim 1 having the further steps of: selecting
more then one item for purchase from different vendors in a single shopping
session";

      c) Hertz (20030037041) discloses chat and displaying product attributes:

      "[0109] where k is a fixed positive real number, typically 2, and the weights
are non-negative real numbers indicating the relative importance of the various
attributes. For example, if the target objects are consumer goods, and the
weight of the "color" attribute is comparatively very small, then price is not
a consideration in determining similarity: a user who likes a brown massage
cushion is predicted to show equal interest in the same cushion manufactured in
blue, and vice-versa. On the other hand, if the weight of the "color"
attribute is comparatively very high, then users are predicted to show interest
primarily in products whose colors they have liked in the past: a brown massage
cushion and a blue massage cushion are not at all the same kind of target
object, however similar in other attributes, and a good experience with one
does not by itself inspire much interest in the other. Target objects may be
of various sorts, and it is sometimes advantageous to use a single system that
is able to compare tar get objects of distinct sorts. For example, in a system
where some target objects are novels while other target objects are movies, it
is desirable to judge a novel and a movie similar if their profiles show that
similar users like them (an associative attribute). However, it is important
to note that certain attributes specified in the movie's target profile are
undefined in the novel's target profile, and vice versa: a novel has no "cast
list" associative attribute and a movie has no "reading level" numeric
attribute. In general, a system in which target objects fall into distinct
sorts may sometimes have to measure the similarity of two target objects for

which somewhat different sets of attributes are defined. This requires an extension to the distance metric d(*,*) defined above. In certain applications, it is sufficient when carrying out such a comparison simply to disregard attributes that are not defined for both target objects: this allows a cluster of novels to be matched with the most similar cluster of movies, for example, by considering only those attributes that novels and movies have in common.

"[0399] The system for customized electronic identification of desirable objects described herein can of course function as a browser for bulletin boards, where target objects are taken to be bulletin boards, or subtopics of bulletin boards, and each target profile is the cluster profile for a cluster of documents posted on some bulletin board.

d) Covington (20030154135) discloses chat and displaying product attributes:

"[0018] Those who have been given access to a wish list can retrieve the product information via, for example, the Internet. These buyers can then purchase any of these products based on this retrieved information. Such purchases could be transacted over the Internet, by mail order, by shopping directly at the store where the user selected the item, or by a store similar to where the user selected the item (such as a chain store in a different geographical location). The buyer may wish to shop at a physical store to ascertain features or characteristics of a selected item, such as, for example, the color, size, or texture, which are not discernable via electronic or printed media. In one embodiment, the system allows the user to select product parameters (such as color and size) through a pull-down menu (if that information is not already contained in the SKU information displayed for each product). This information is displayed to buyers via the system Web site.

[0103] In block 258, the system allows the user to view the selected item(s) by displaying the attributes of the selected item(s) such as the store where the item(s) can be purchased, the name of the product, a description of the product, the size, if necessary, the price, a picture or illustration of the product, the available colors, if appropriate, etc. Next, the system determines whether the user selects one or more of the items being viewed (block 260) by, for example, clicking on the item(s). If no items are selected, the system proceeds to block 264".

Applicant's amendment necessitated the new ground(s) of rejection presented in this

Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a).

Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within TWO

MONTHS of the mailing date of this final action and the advisory action is not mailed until after

the end of the THREE-MONTH shortened statutory period, then the shortened statutory period

will expire on the date the advisory action is mailed, and any extension fee pursuant to 37

CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,

however, will the statutory period for reply expire later than SIX MONTHS from the date of this

final action.

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Arthur Duran whose telephone number is (571) 272-6718. The

examiner can normally be reached on Mon- Fri, 8:00-4:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Eric Stamber can be reached on (571) 272-6724. The fax phone number for the

organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent

Application Information Retrieval (PAIR) system. Status information for published applications

may be obtained from either Private PAIR or Public PAIR. Status information for unpublished

applications is available through Private PAIR only. For more information about the PAIR

system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR

system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).
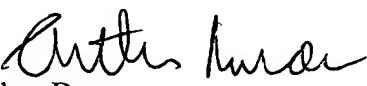
Arthur Duran
Primary Examiner
1/18/2006